

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSEPHINE LOGUIDICE AND
EMILE NORMAN,

Plaintiffs,

v.

GERBER LIFE INSURANCE COMPANY,

Defendant.

7:20-CV-03254 (KMK)

ORAL ARGUMENT REQUESTED

**GERBER LIFE INSURANCE COMPANY'S MOTION TO FILE UNDER SEAL ITS
MOTIONS TO STRIKE PLAINTIFF'S PROPOSED EXPERT WITNESSES**

Pursuant to Judge Karas's Individual Rules and Practices, Standing Order No. 19-mc-00583, and Section 6 of the Court's ECF Rules & Instructions, Defendant Gerber Life Insurance Company ("Gerber Life"), by and through counsel, seeks leave to file under seal its motions to strike Plaintiffs Emilie Norman and the Estate of Josephine Logiudice's ("Plaintiffs") proposed expert witnesses Kent Barrett, Mark Kantrowitz, Benjamin Lester, Wallis Tsai, Arthur Olsen, and Steven Weisbart¹, as well as supporting memoranda, declarations, and accompanying exhibits. In its motions to strike Plaintiffs' proposed expert witnesses, Gerber Life incorporates the deposition testimony of various witnesses and information pertaining to the internal operation of Gerber Life's business, which Gerber Life reasonably believes to contain and/or comprise trade secrets or other confidential research, development, or commercial information that is not generally known, and that Gerber Life would not normally reveal to third parties or, if disclosed, would require such third parties to maintain the same in confidence. *See* Stipulated Confidentiality Agreement and

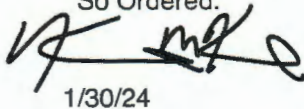
¹ Defendant Gerber Life Insurance filed its original motions to exclude these expert witnesses on March 24, 2023. *See* Docs. 149-169. The Court terminated all pending motions in light of its order of September 21, 2023, (Doc. 191), and directed the parties to re-file in light of its ruling on the substitution of the Estate of Josephine Logiudice as a named plaintiff.

Protective Order ("Protective Order") (Dkt. No. 42), at § 1.1(a); *see also* Fed. R. Civ. P. 26(c)(1)(G). This testimony and information has been designated as "Confidential" pursuant to the Court's Protective Order and, accordingly, Gerber Life seeks leave to file its motions under seal.

Dated: January 29, 2024

Motion is granted, but Gerber Life is to publicly file redacted copies of the submissions noted herein.

So Ordered.



1/30/24

Respectfully submitted,

/s/ Eric W. Richardson

Eric W. Richardson (OH-0066530)

Admitted *pro hac vice*

Brent D. Craft (OH-0085374)

Admitted *pro hac vice*

Joseph M. Brunner (OH-0085485)

Admitted *pro hac vice*

Emily E. St. Cyr (OH-0092301)

Admitted *pro hac vice*

Petra G. Bergman (OH-0097990)

Admitted *pro hac vice*

Vorys Sater Seymour and Pease LLP

301 East Fourth Street, Suite 3500

Cincinnati, OH 45202

Telephone: 513-723-4019

Facsimile: 513-852-7885

Email: ewrichardson@vorys.com

bdcraft@vorys.com

jmbrunner@vorys.com

eestcyr@vorys.com

pgbergman@vorys.com

Patrick J. Gennardo (2634640)

Joseph G. Tully (4441143)

Alston & Bird LLP

90 Park Avenue

New York, NY 10016

Telephone: 212-210-9400

Facsimile: 212-210-9444

Email: patrick.gennardo@alston.com

joe.tully@alston.com

Counsel for Defendant Gerber Life Insurance Company